

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**JORGE VAZQUEZ-RIVERA, #16177-069**

**PETITIONER**

**VERSUS**

**CIVIL ACTION NO. 5:08-cv-200-DCB-MTP**

**UNITED STATES OF AMERICA**

**RESPONDENT**

**ORDER DENYING PETITIONER'S MOTION TO RECONSIDER**

BEFORE THE COURT is Petitioner's Motion for Reconsideration [7] filed October 15, 2008. Petitioner moves the Court to reconsider the Memorandum Opinion [5] and Final Judgment [6] of dismissal entered on August 8, 2008. Having considered the issues raised in the motion, the Court finds that the motion is not well-taken and should be denied.

In an effort to be exhaustive, this Court has considered the Petitioner's motion as filed pursuant to Rule 59(e) and Rule 60(b) of the Federal Rules of Civil Procedure. After thorough consideration of the motion submitted, the entire court record and relevant case law, the Court concludes that Petitioner has failed to satisfy the requirements for obtaining relief pursuant to Rule 59(e) or Rule 60(b). *See Rosenzweig v. Azurix Corp.*, 332 F.3d 854, 863-64 (5th Cir.2003); *Sturges v. Moore*, 73 Fed.Appx. 777, 778, 2003 WL 22100834, at \*1 (5th Cir. Sept. 11, 2003)(citing *Ford v. Elsbury*, 32 F.3d 931, 937-38 (5th Cir. 1994); *See Texas A&M Research Found. v. Magna Transportation Inc.*, 338 F.3d 394, 400 (5th Cir. 2003). Accordingly, it is hereby,

ORDERED that Petitioner's Motion to Reconsider the Final Judgment [7] is **denied**.

SO ORDERED this the 22nd day of October, 2008.

s/ David Bramlette  
UNITED STATES DISTRICT JUDGE